

EXHIBIT 25

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

NAACP, SPRING VALLEY
BRANCH, ET AL.

PLAINTIFFS,

VS. CIVIL ACTION NO. 7:17-CV-08943

EAST RAMAPO CENTRAL
SCHOOL DISTRICT, ET AL.,
DEFENDANTS.

_____ /

DEPOSITION OF MARGARET "PEGGY" HATTON

Taken on behalf of the Defendants

DATE & TIME: Friday, November 16, 2018
9:50 a.m. - 4:00 p.m.

PLACE: Hedquist & Associates
345 East Forsyth Street
Jacksonville, Florida 32202

Examination of the witness taken before:

Celeste O. Werkheiser, RMR, CRR, Notary Public

Veritext Legal Solutions
Mid-Atlantic Region
1250 Eye Street NW - Suite 350
Washington, D.C. 20005

I N D E X

WITNESS:

PAGE:

MARGARET "PEGGY" HATTON

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1 S T I P U L A T I O N

2 It was stipulated and agreed by and between
3 counsel for the respective parties, and the witness,
4 that the reading and signing of the deposition by the
5 witness was not waived.

6 - - -

7 MARGARET "PEGGY" HATTON,
8 acknowledged having been duly sworn to tell the truth
9 and testified upon her oath as follows:

10 THE WITNESS: Yes.

11 D I R E C T E X A M I N A T I O N

12 BY MS. SCHUSTER:

13 Q Good morning. My name is Stephanie Schuster.
14 I represent the East Ramapo Central School District.
15 You're Margaret Hatton?

16 A Yes.

17 Q You go by Peggy?

18 A Yes.

19 Q And Ms. Hatton, do you have a middle name?

20 A Ann.

21 Q Ann is your middle name? I know you're
22 represented by counsel today?

23 A Yes, I am.

24 Q And are you represented by Latham and Watkins?

25 A Yes, I am.

1 Central School District litigation pending in the
2 Southern District of New York. When I refer to
3 litigation today, or the litigation, will you understand
4 that I'm referring to this, the NAACP, the East Ramapo
5 case?

6 A Yes.

7 Q You're not a party to the litigation, right?

8 A No.

9 Q Did you ever consider becoming a party to this
10 litigation?

11 A No.

12 Q For the record, what is your race?

13 A My race?

14 Q Yes, ma'am.

15 A I'm white.

16 Q You can set Exhibit 1 aside.

17 (Exhibit 2 marked.)

18 Q Ms. Hatton, I'm handing you a document we've
19 marked as Exhibit 2 to your deposition. And this is
20 titled the Declaration of Margaret "Peggy" Hatton and
21 was filed in the litigation on December 8, 2017; does
22 that sound right?

23 A I'm sorry, could you ask that question again?

24 Q If you look at the top of the document, in
25 blue, there's a file date that says December 8, 2017; is

1 THE WITNESS: Yes, I do.

2 BY MS. SCHUSTER:

3 Q But I thought public school community meant
4 people who have children who attend public schools.

5 MR. NOVAKOVSKI: Objection.

6 BY MS. SCHUSTER:

7 Q That's what you testified to earlier; is that
8 right?

9 MR. NOVAKOVSKI: Objection.

10 THE WITNESS: No. No.

11 BY MS. SCHUSTER:

12 Q Okay. So if you were to refer to someone as a
13 public school candidate for the School Board or a public
14 school member of the board, what do you mean by public
15 school?

16 A People who had an interest in the public school
17 or whose children, perhaps in the past, attended the
18 public schools, people who themselves went to public
19 schools and understood what public school education was
20 all about.

21 Q You said people who had an interest. You just
22 mean a general interest? Or what do you mean?

23 A An interest in getting a decent education for
24 public school students.

25 Q And what, in your opinion, constitutes

1 Ramapo called New Square?

2 A Yes, I am.

3 Q Are a large portion of the residents in New
4 Square Orthodox or Hasidic Jews?

5 MR. NOVAKOVSKI: Objection.

6 THE WITNESS: Yes, they are.

7 BY MS. SCHUSTER:

8 Q Do you consider New Square to be a
9 predominantly private school community?

10 MR. NOVAKOVSKI: Objection.

11 THE WITNESS: Yes.

12 BY MS. SCHUSTER:

13 Q Are you familiar with the neighborhood called
14 Kaser in the district?

15 A Yes.

16 Q Are a large portion of the residents in Kaser
17 Orthodox and Hasidic Jews?

18 MR. NOVAKOVSKI: Objection.

19 THE WITNESS: Yes.

20 BY MS. SCHUSTER:

21 Q Would you describe Kaser as predominantly a
22 private school community?

23 MR. NOVAKOVSKI: Objection.

24 THE WITNESS: Yes.

25 BY MS. SCHUSTER:

1 Q Are you familiar with a neighborhood called
2 Monsey in East Ramapo?

3 A Yes.

4 Q Is there a large portion of residents in Monsey
5 who are Orthodox and Hasidic Jews?

6 MR. NOVAKOVSKI: Objection.

7 THE WITNESS: I don't know how you would
8 quantify large.

9 BY MS. SCHUSTER:

10 Q Well, how did you clarify it in response to my
11 prior question?

12 A Those are -- New Square and Kaser are
13 exclusively Hasidic communities. Monsey is more
14 diverse.

15 Q Would you say a majority of the residents in
16 Monsey are Orthodox or Hasidic Jews?

17 A I don't know.

18 Q Would you describe Monsey as predominantly a
19 private school community?

20 MR. NOVAKOVSKI: Objection.

21 THE WITNESS: I don't know.

22 BY MS. SCHUSTER:

23 Q Do you have an opinion?

24 MR. NOVAKOVSKI: Objection.

25 THE WITNESS: I know a lot of kids from public

1 school that lived in those neighborhoods as well.

2 BY MS. SCHUSTER:

3 Q Do you have an opinion one way or another of
4 whether Monsey is a predominantly private school
5 community?

6 A No. I really don't. I don't know.

7 Q You've been a candidate for a seat on the
8 district's Board of Education; is that right?

9 A That's correct.

10 Q Twice?

11 A That's correct.

12 Q And you first ran for a seat on the board in
13 2009?

14 A That's correct.

15 Q And then a second time in 2011; is that right?

16 A That's right.

17 Q You didn't win the election for School Board in
18 2009?

19 A No, I did not.

20 Q Do you think you lost the election because of
21 your race?

22 A No.

23 Q And you didn't win the election for School
24 Board in 2011, correct?

25 A I'm sorry?

1 Q You didn't win your run for School Board in
2 2011?

3 A No.

4 Q Do you think you lost that election because of
5 your race?

6 A No.

7 Q If you could turn back to Exhibit 2, which is
8 your declaration.

9 A To what page?

10 Q We're going to go to page 9, paragraph 32. In
11 paragraph 32 you wrote, "without the support of a large
12 portion of the white community, I lost both the 2009 and
13 2011 elections."

14 Is that right?

15 A Uh-huh. That's what it says.

16 Q You didn't lack support of a large portion of
17 the white community because of your race, right?

18 MR. NOVAKOVSKI: Objection.

19 THE WITNESS: Say that again.

20 BY MS. SCHUSTER:

21 Q I'll rephrase. Did you lack support from the
22 large portion of the white community because of your
23 race?

24 MR. NOVAKOVSKI: Objection.

25 THE WITNESS: No.

1 BY MS. SCHUSTER:

2 Q What defines the white community, as you're
3 using that term in paragraph 32?

4 A The religious white community.

5 Q Religious white community.

6 A Uh-huh.

7 Q Is that all religions?

8 A No.

9 Q Which religions?

10 A Probably the Hasidic and Orthodox community.

11 Q Probably?

12 A Yes. Probably.

13 Q What did you mean when you wrote this sentence
14 in paragraph 32?

15 A I meant what I said.

16 Q What did you mean by white community?

17 A I just said the Orthodox and Hasidic community.

18 Q You meant the Orthodox and Hasidic community.

19 So you don't consider yourself a member of the white
20 community?

21 MR. NOVAKOVSKI: Objection.

22 THE WITNESS: I am not a Hasidic or Orthodox
23 white person.

24 BY MS. SCHUSTER:

25 Q So do you consider yourself a member of the

1 white community that you referred to in paragraph 32?

2 A No.

3 Q Turn to the same page, paragraph 31. It is the
4 last sentence, you state, "I was not invited to attend
5 candidate forums or campaign in predominantly white
6 neighbors including New Square, Kaser or Monsey."

7 Did I read that right?

8 A That's what it says.

9 Q Which candidate forums in New Square were you
10 not invited to?

11 A I don't know if they -- what forums they had
12 because I was never invited. They were not publicized.

13 Q So you don't know if there were any candidate
14 forums in New Square?

15 A I do not know.

16 Q There could have been none?

17 A There could have been none.

18 Q What candidate forums in Kaser were you not
19 invited to?

20 MR. NOVAKOVSKI: Objection.

21 THE WITNESS: I don't know because I wasn't
22 invited.

23 BY MS. SCHUSTER:

24 Q So there could have been none?

25 A There could have been done.

1 available to come and talk to the congregation, you
2 know. The same thing with maybe -- I believe that
3 Waldorf private school also invited candidates at
4 different times to come and speak. So the outreach
5 more or less came from the outside to us.

6 BY MS. SCHUSTER:

7 Q Okay. And when you're referring to us, who's
8 us?

9 A The slate of candidates that we were running
10 together with.

11 Q Who was on the slate of candidates in 2009?

12 A Oh, boy. Emilia White, Leonardo Vera, and
13 myself.

14 Q And how did that slate come together?

15 A There was a meeting of what was then called the
16 Stakeholders group which were Stakeholders for the
17 public school community and they -- people nominated
18 people that they felt would be a good candidate and at
19 the end of the evening there was a vote.

20 Q Did Stakeholders eventually take on a different
21 name?

22 A I'm sorry?

23 Q Did Stakeholders ever take on a different name?

24 A I can't really say that because people -- it
25 was a fluid group and so other groups rose. I wouldn't

1 say it took on another name. No.

2 I also should say that Tony Levin was a
3 candidate in that slate and he dropped out, which is why
4 I was put in.

5 Q You took Tony Levin's seat, or his spot on the
6 slate, pardon me.

7 A Not his seat but his spot on the ticket.

8 Q Got it. So the Stakeholders was a meeting for
9 members of the public school community?

10 A There were people of every -- there were people
11 represented. A lot of organizations. That's how it
12 started out. Organizations that would send one of their
13 members to attend the meetings.

14 Q Which organizations?

15 A Oh, my gosh, I can't tell you. I don't recall
16 all of them.

17 Q Do you recall any of them?

18 A The NAACP, JAMCCAR, KONBITLAKAY. Don't ask me
19 to spell it. There were others. And honestly I don't
20 recall. It was such a long time ago.

21 Q Was the Southeast Ramapo Taxpayers Association
22 part of that?

23 A No.

24 Q And is it these organizations, the NAACP,
25 JAMCCAR, KONBITLAKAY, and others that formed the

1 a member of the Stakeholders?

2 A It would vary from year-to-year, yes.

3 Q From year-to-year it would vary who the person
4 was?

5 A Yeah.

6 Q Or if they were a member of the Stakeholders?

7 A They were -- again, it was a very loose --
8 like, there wasn't a membership, you know. It was just
9 a group of people. But they would be usually from that
10 group.

11 Q In 2011, who was on your slate?

12 A Myself, Carole Anderson, Antonio Luciano, and
13 Joann Thompson.

14 Q Did any member win their race, any member of
15 your slate in 2011?

16 A I'm sorry?

17 Q Did Mr. Luciano win his election in 2011?

18 A No.

19 Q Did Ms. Anderson win her run for the School
20 Board in 2011?

21 A No.

22 Q Did Ms. Thompson win a seat on the School Board
23 in 2011?

24 A Yes.

25 (Exhibit 4 marked.)

1 Q Is this in 2009?

2 A Yes.

3 Q Okay.

4 A So that's that.

5 Q And he dropped out of the race?

6 A He dropped out of the race very late in the
7 race and so I was put in as a backup candidate.

8 Okay. Now, what was your next question?

9 Q How did the slate that you were on in 2011,
10 you, Ms. Hatton, Mr. Luciano, Ms. Anderson and Mr.
11 Thompson look like the student population that you
12 described?

13 A Mr. Luciano is Latino, he's Puerto Rican.
14 Carole Anderson is African American. Joann Thompson,
15 I'm not sure if she's Haitian but she has Haitian
16 children and was very involved in the Haitian community.
17 And then there was me.

18 Q Is Ms. Thompson black?

19 A Yes.

20 Q She speak Creole?

21 A Do I speak Creole?

22 Q Did Ms. Thompson speak Creole?

23 A I believe she does.

24 Q Ms. Thompson won that election?

25 A Yes, she did.

1 the community as long as they qualified. But people
2 would want our backing the Stakeholders group
3 because we would help them run their campaigns. But
4 they could do whatever they wanted.

5 BY MS. SCHUSTER:

6 Q And then the last sentence of this bullet
7 point, it says, "Latino population needs to be motivated
8 and out to vote."

9 Do you see that?

10 A Yes, I do.

11 Q Was there a lack of motivation with the Latino
12 population at this time?

13 MR. NOVAKOVSKI: Objection.

14 THE WITNESS: Yes. I would say that there was.
15 The lack of motivation in the Latino community at
16 that point was that many of them were here
17 illegally. They were afraid to come out to
18 meetings. Many of them couldn't vote because of
19 their illegal status in this country. So we tried
20 to get them to help us in ways that were legal like
21 helping us with door knocking campaigns and helping
22 us translate things into their language, the same
23 thing with the Creole population so that we were
24 hitting every audience to try to get them to help us
25 get the vote out. So that's probably what that's in

1 reference to.

2 BY MS. SCHUSTER:

3 Q Sure. The lack of motivation part, was there
4 also just a lack of voting by eligible Latino voters?

5 MR. NOVAKOVSKI: Objection.

6 THE WITNESS: I can't say that that's true
7 because I would think that the majority were not
8 eligible to vote.

9 BY MS. SCHUSTER:

10 Q Majority were not eligible?

11 A That's my impression.

12 Q Did the Stakeholders ever distribute materials
13 in Yiddish?

14 A I think we did. I'm not sure but I think we
15 did.

16 Q Who on the Stakeholders speaks Yiddish?

17 A Nobody.

18 Q I want to ask you about the next bullet point,
19 which says "homework" in all caps. Do you see that?

20 A Yes.

21 Q And it says, "recruit someone for candidate
22 pool."

23 Can you tell me what that means?

24 MR. NOVAKOVSKI: Objection.

25 THE WITNESS: I guess it meant to do some

1 schools serving children of color almost exclusively."

2 Do you see that?

3 A Yes, I do.

4 Q How do you know that private schools in East
5 Ramapo served white children almost exclusively?

6 A Well, we know that the Yeshivas were white
7 exclusively. They wouldn't take my son because he was a
8 different religion than they were. And they certainly
9 wouldn't take anybody else that wasn't the same religion
10 as they were. So those were the majority of the private
11 schools in East Ramapo.

12 You know, the number at some point, and I don't
13 know what year it was, but it was over 100 private
14 Yeshivas or Jewish day schools in the district. And
15 there were, in our school district, maybe five or less
16 than five other private schools other than Yeshiva or
17 Jewish day schools.

18 Q Did you ever attempt to enroll either of your
19 sons in a Yeshiva?

20 A I was laughed at when I suggested it to the
21 tutor who was tutoring my son. She said it would
22 absolutely not happen and she laughed.

23 Q But you never actually attempted to enroll
24 either of your sons?

25 A No.

1 Q Was that spilling into the School Board
2 elections?

3 MR. NOVAKOVSKI: Objection.

4 THE WITNESS: You have to repeat that because I
5 can't hear you.

6 BY MS. SCHUSTER:

7 Q Was that -- the politics of the last election
8 cycle, was that spilling over into the School Board
9 elections in your opinion?

10 A No. Because this election took place in
11 November and the School Board elections hadn't begun
12 yet.

13 Q And are you not, in this SOS East Ramapo list
14 serve, are you not talking about anything related to the
15 School Board?

16 A Well, I'm referring to the previous election in
17 that particular piece, that we need to get past who was
18 elected as county executives and get on with, you know,
19 with our organization for the upcoming School Board
20 election. But we hadn't started at that point, I don't
21 believe.

22 Q You can set that one aside. Do you recall if a
23 public school candidate ran for the School Board in May
24 2014?

25 A I'm not sure. There was one year that they did

1 not run candidates but I'm not sure of the year.

2 (Exhibit 8 marked.)

3 Q Ms. Hatton, I'm handing you a document that
4 we've marked as Exhibit 8. Take a quick look at this
5 and let me know if this refreshes your recollection, if
6 2014 was the year that no public school candidate ran
7 for the School Board.

8 A Okay.

9 (Pause.)

10 A Okay.

11 Q Does that refresh your recollection if May 2014
12 was the year that no public School Board candidates ran
13 for the School Board?

14 A Yes.

15 Q And it was in May 2014?

16 A I believe that they did not run a candidate
17 that year.

18 Q And was it your idea that the Stakeholders not
19 put together a slate of candidates for 2014?

20 A Was it my idea? No. I didn't live there at
21 the time so people would ask me for my opinion.

22 Q But you agreed with that move?

23 A Did I agree with this? I wrote it, yes.

24 Q You agreed with not running any candidates in
25 2014.

1 A That's what I wrote.

2 Q Do you still agree with it?

3 A At that time, yes.

4 Q Do you agree with it today? Do you think it
5 was a good idea?

6 A Absolutely not.

7 Q Do you know if public school advocates today
8 still show up at School Board meetings in large numbers?

9 A They do not show up in large numbers. From
10 reviewing videotapes and reading Tweets, we can see that
11 the numbers have dramatically decreased.

12 The reason for that is that many of the illegal
13 Latinos feel as though once they're on Ramapo property,
14 which the school district, even though it resides in
15 Spring Valley, the Ramapo police actually has
16 jurisdiction over that, and they believe that they will
17 be picked up by ICE.

18 There have been people from the religious
19 community that have videotaped people protesting and
20 they're afraid that they're going to be deported. And
21 as a result of that -- you know, the Latino community is
22 the largest part of the East Ramapo school district.
23 Their numbers are increasing.

24 And so as a result of that, those people from
25 the Latino community would walk, bring baby strollers,

1 A Carolyn Watson was a PTA parent in the public
2 school.

3 Q Ms. Watson run against you in the 2009 race for
4 School Board?

5 A Yes, she did.

6 Q What is Ms. Watson's race?

7 A Her what?

8 Q Race.

9 A Race. Oh, I thought you said weight. That
10 wouldn't have been a good answer. She's white.

11 Q Did she have the backing of the Stakeholders as
12 well?

13 A I assume not because I had their backing.

14 MS. SCHUSTER: Okay. It's a good time to
15 break.

16 (A recess was taken.)

17 BY MS. SCHUSTER:

18 Q Back on the record. Ms. Hatton, earlier today
19 I believe you testified that JAMCCAR and the NAACP would
20 reach out to the Stakeholders to invite their slate of
21 candidates to campaign events.

22 A They reached out to everybody that was running.

23 Q That was running. Who from JAMCCAR reached out
24 to you?

25 A Whoever was the engagement person, you know,

1 Do you see that?

2 A Yes.

3 Q And which portion of the white community
4 supported you in 2009 and 2011?

5 A Well, certainly probably the entire village of
6 Chestnut Ridge that knew me would have supported me and
7 many of the other villages would have supported me. I
8 was pretty well known in the community so I think I
9 would have gotten a lot of support from the general
10 population.

11 Q And which portion of the white community did
12 not support you in 2009 and 2011?

13 A People who didn't have their children in public
14 schools or whose children graduated, perhaps, or retired
15 people in addition, you know, to the blocked community.

16 MR. NOVAKOVSKI: I have no further questions.

17 (Witness excused.)

18 (The deposition was concluded at 4:00 p.m.)
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20
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CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, Celeste O. Werkheiser, RMR, CRR, and a
Notary Public, State of Florida, certify that MARGARET
"PEGGY" HATTON personally appeared before me on November
16, 2018, and was duly sworn.

WITNESS my hand and official seal on
November 17, 2018.



Celeste O. Werkheiser, RMR, CRR

My Commission Expires September 28, 2022

REPORTER'S CERTIFICATE

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, Celeste O. Werkheiser, RMR, CRR, certify that I was authorized to and did stenographically report the deposition of MARGARET "PEGGY" HATTON; that a review of the transcript was requested; and that the foregoing transcript, Pages 1 through 156, is a true record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED on November 17, 2018, Jacksonville, Duval County, Florida.



Celeste O. Werkheiser, RMR, CRR